



Natural Resource Plan Update

Focus on Archaeological Resources Protection Act

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Measures of Success

Resource Area	Measures of Success	Timeframe
Cultural Resources	— Protect 30-40% of critically eroding sites	— 20 years
	— Evaluate for affiliation 70-90% of NAGPRA items under TVA control	— 20 years
	— Conduct archaeological surveys on 60,000-100,000 acres of TVA land	— 20 years





2012 Accomplishments

Surveys

- Over 1,700 acres of TVA managed properties were surveyed. TVA is exploring new technology for future surveys to create a “tool box” for better understanding the resource and current conditions.
- A survey of all buildings and structures on TVA lands was completed.

Native American Grave Protection and Repatriation Act (NAGPRA)

- Conducted six NAGPRA consultations with federally-recognized Native American tribes.
- TVA-Native American Consultation Workshop was held in May 2012. TVA planned the workshop to be an occasion for the agency and the tribes to have meaningful discussion regarding NAGPRA, tribal consultation efforts (per the National Historic Preservation Act), and partnership opportunities - issues that are important to both the tribes and TVA.

“I believe TVA really listened to tribal suggestions for agenda. TVA has addressed NAGPRA collections with a schedule for repatriations.”

Comment from participant at 2012 TVA-Native American Consultation Workshop

Protection of Critically Eroding Sites

- TVA has five sites ready for stabilization. One site, known for being heavily looted, was to be stabilized with hard armor (riprap) in 2012 at a cost of \$700,000. Because low water on the Mississippi River due to the drought in the mid-west, barges were unable to mobilize to the site this year. Funding is typically limited for these types of activities because of the high cost.

Looting and other Damage

- Extensive damage to one of the regions most important cultural sites. This site had been protected with gating in 2005, but was still breached.





Archaeological Resource Protection

- TVA manages over 11,500 archaeological sites in the Tennessee River Valley
- Some of the most unique resources in the southeast are under TVA management

Painted Bluff, Wheeler Reservoir, Alabama



Hiwassee Island, Chickamauga Reservoir, Tennessee





Archaeological Resource Concerns

- Large coverage area and limited resources
- Shoreline erosion
- Surface collection of artifacts
- Illegal excavation – violation of Archaeological Resource Protection Act (ARPA)

Erosion on Kentucky Reservoir

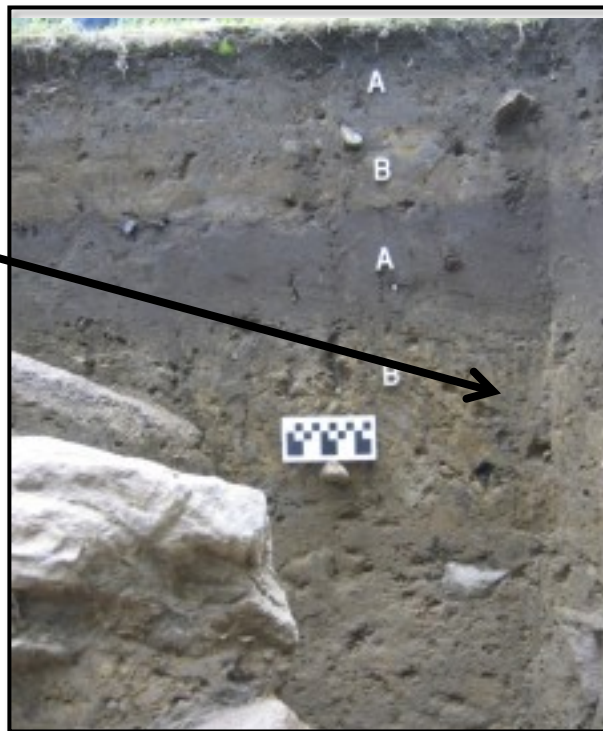


Example of looting on TVA-managed land

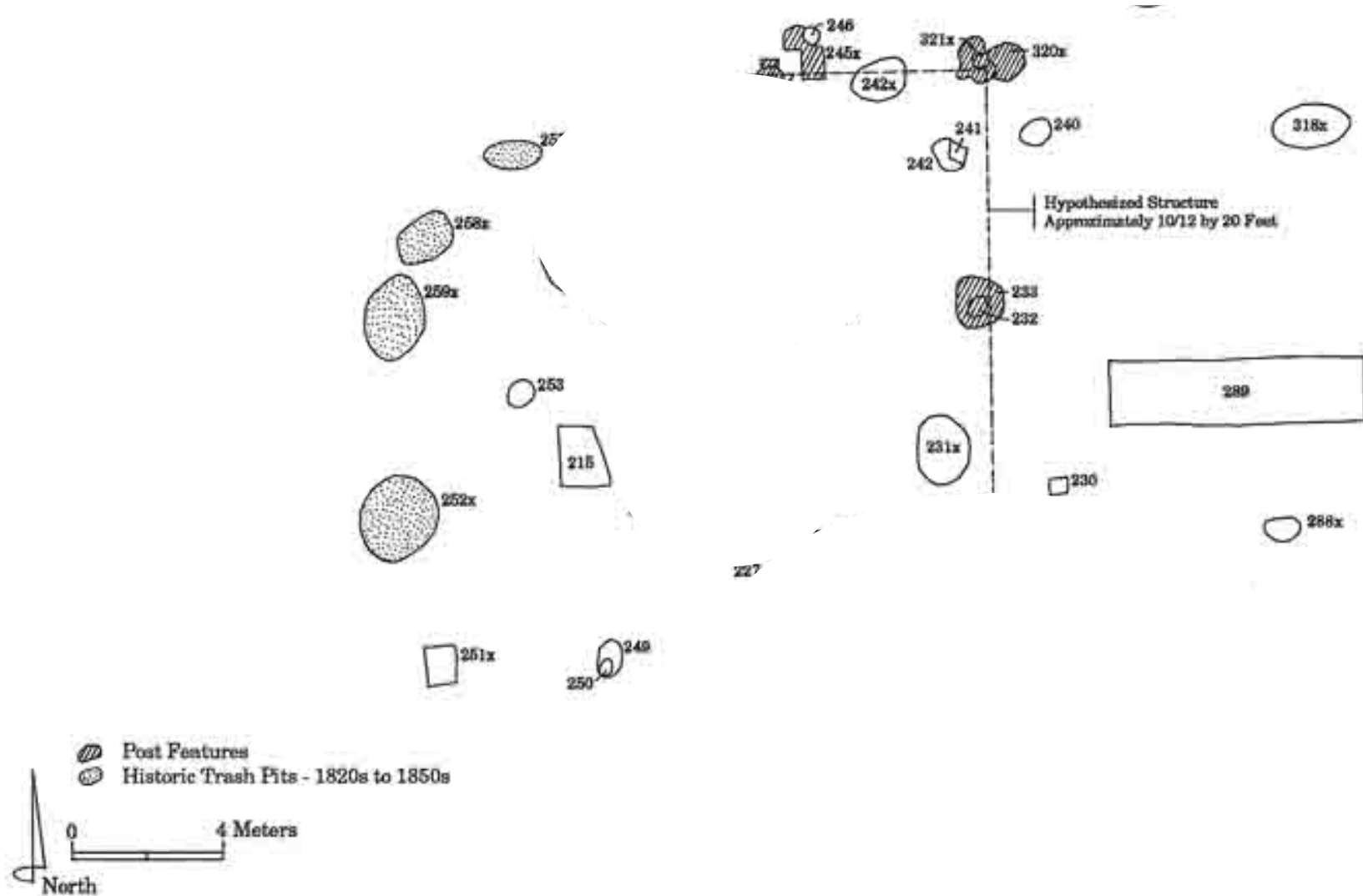


Effects of Looting

- Looting of artifacts can destroy the context of the archaeological site.
- Without *context*, artifacts alone can tell us very little.



Example - Effects of Contextual Loss





ARPA Enforcement Program

- What is ARPA?
 - *ARPA of 1979* makes it a crime to dig for, remove, or damage archaeological resources from all federally-managed public lands, including TVA-managed land, without a research permit.
 - Archaeological resources are defined as any material remains of human life or activities that are at least 100 years of age and are of archaeological interest.
- ARPA imposes criminal or civil penalties for unauthorized digging or collecting. It also provides rewards of up to \$500 for information leading to conviction or civil fine.



ARPA Enforcement Program

- Federally commissioned investigators assigned to protect archaeological sites on TVA-managed land.
- One archaeologist assigned to the program with five additional trained staff for support.
- Monitor ARPA sites to prevent theft and destruction.
- Prosecute suspects for violations under ARPA.



Methods of Enforcement

- Regular patrol and monitoring of ARPA sites
- Develop network with other law enforcement officers
- Develop Intelligence
 - Question suspects
 - Conduct surveillance
 - Information sharing with other agencies and public
 - Develop database of suspects

- Kentucky Reservoir
 - 3 cases
 - 6 suspects (2 pled guilty; 4 pending prosecution)
 - Over \$3000 in restitution received
- Normandy Reservoir
 - 1 case
 - 1 suspect - pled guilty
 - \$8300 ATV seized



Success (cont.)

- Pickwick Reservoir
 - 4 cases
 - 5 suspects (4 prosecutions)
 - \$1750 paid in fines
- Cherokee Reservoir
 - 1 case involving 1 suspect (case pending)
- Guntersville Reservoir
 - 6 cases
 - 11 suspects (prosecutions; 5 pending cases)
 - \$1250 paid in fines





Guntersville Reservoir - Civil War Case

- Initiated by TVA Investigators
- Joint investigation with TVA and National Park Service (also Secret Service and Internal Revenue Service)
- Major covert looting business with 23 known suspects
- Four judicial districts in three states (TN, GA, and AL)
- International sales of artifacts via internet and local sales
- Thousands of artifacts recovered to date





Program Summary and Highlights

- 20 cases involving 58 suspects prosecuted/pending prosecution
- 100% conviction rate
- Thousands of artifacts recovered
- Over 50 law enforcement officers and numerous Assistant U.S. Attorneys have assisted in this ARPA enforcement
- Awareness of looters that we are out there



Where do we go from here?

- Implement new technology/methodology
 - Work with other law enforcement agencies
 - Issuance of federal citations to expedite court process
- Explore new resources
- Intel
 - Continue to develop and gather information on known looter suspects and looter network
- Training
 - Attend training that will benefit investigative techniques